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Attorney for Defendant
YAIR ZUNIGA, II

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,

v.

RAFAEL ARAUZA
YAIR ZUNIGA, II.,

Defendants.

CASE NO. 2:24-CR-0319-WBS

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER

DATE: July 28, 2025

TIME: 10:00 a.m.

COURT: Hon. William B. Shubb

This case is set for a status conference on July 28, 2025. By this stipulation, the parties request a continuance of the status conference to **October 27, 2025 at 10:00 a.m.**, and to exclude time under Local Code T4, for the reasons set forth below.

STIPULATION

Plaintiff United States of America, by and through its counsel of record, Matthew De Moura, and defendant Rafael Arauza, by and through his counsel of record Robert Forkner, and defendant Yair Zuniga II, by and through his counsel of record, David D. Fischer, hereby stipulate as follows:

1. By previous order, this matter was set for status on July 28, 2025.
2. By this stipulation, defendants now move to continue the status conference until October 27, 2025, and to exclude time between July 28, 2025, and October 27, 2025, under Local Code T4.
3. The parties agree and stipulate, and request that the Court find the following:

1 a) On May 2, 2025, the government produced discovery for this case consisting of
2 1350 documents and native files subject to a protective order consisting of hundreds of pages of
3 discovery, including numerous photographs, audio files, and audio/video discovery, as well as
4 police reports and criminal history documents.

5 b) Counsel for defendants desires additional time to consult with their clients, review
6 the current charges, conduct investigations and research related to the charges, review discovery,
7 consider whether to request additional discovery, prepare pretrial motions, and otherwise prepare
8 for trial..

9 c) Counsel for defendants needs additional time to review the discovery in this case,
10 to conduct independent factual investigation, to research trial and sentencing issues, to consult
11 with his client, and to otherwise prepare for trial.

12 d) Counsel for defendant Zuniga has been engaged in a murder trial in Placer County
13 from April 28, 2025 through July 14, 2025. Counsel for defendant Zuniga will be in the District
14 of Alaska from July 26, 2025 through July 31, 2025. A continuance is needed for continuity of
15 counsel. Counsel for defendant Arauza is going to begin a jury trial very soon.

16 e) Counsel for the defendants believes that failure to grant the above-requested
17 continuance would deny them the reasonable time necessary for effective preparation, taking into
18 account the exercise of due diligence.

19 f) The government does not object to the continuance.

20 g) Based on the above-stated findings, the ends of justice served by continuing the
21 case as requested outweigh the interest of the public and the defendant in a trial within the
22 original date prescribed by the Speedy Trial Act.

23 h) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
24 et seq., within which trial must commence, the time period of July 28, 2025, to October 27,
25 2025, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code
26 T4] because it results from a continuance granted by the Court at defendants' request on the basis
27 of the Court's finding that the ends of justice served by taking such action outweigh the best
28 interest of the public and the defendant in a speedy trial.

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: July 22, 2025

KIMBERLY A. SANCHEZ
Acting United States Attorney

/s/ Matthew De Moura
MATTHEW DE MOURA
Special Assistant United States
Attorney

Dated: July 22, 2025

/s/ Robert Forkner
ROBERT L. FORKNER
Counsel for Defendant
RAFAEL ARAUZA

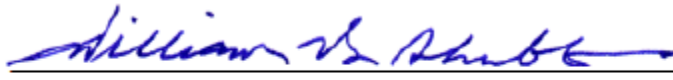
Dated: July 22, 2025

/s/ David D. Fischer
DAVID D. FISCHER
Counsel for Defendant
YAIR ZUNIGA, II

FINDINGS AND ORDER

IT IS SO FOUND AND ORDERED.

Dated: July 22, 2025


WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE